

## REMARKS

The foregoing amendment is to place the application in condition for allowance rather than to avoid prior art.

Applicant respectfully requests reconsideration of this application as amended. Claims 1-33 are pending in the application. Claims 1-21 are rejected. Claims 1-21 are canceled.

### Rejections under 35 U.S.C. 101

Claims 1-21 are rejected under 35 U.S.C. 101, as allegedly being directed to non-statutory subject matter. Applicant respectfully disagrees with the Examiner's rejections Claims 1-21 but has elected to pursue the instant claims in a continuation.

### Rejections under 35 U.S.C. 101

Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as allegedly indefinite. Applicant respectfully disagrees with the Examiner's rejections Claims 1-7 but has elected to pursue the instant claims in a continuation.

Applicant believes the pending claims 22-33 are in condition for allowance. Such action is earnestly solicited.

CONCLUSION

Applicants respectfully submit the amended claims for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Lawrence Mennemeier at (408) 765-2194.

Authorization is hereby given to charge our Deposit Account No. 50-0221 for any charges that may be due.

Respectfully submitted,

Date: April 8, 2009

/Lawrence M. Mennemeier/

Lawrence M. Mennemeier

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